

IN THE UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF MISSISSIPPI  
EASTERN DIVISION

CHARLOTTE SMITH; CHANDLER SMITH,  
ET AL.

PLAINTIFFS

VS.

CIVIL ACTION NO.: 1:07CV113-M-D

CITY OF NETTLETON, MISSISSIPPI AND  
GERRY TURNER, IN HIS OFFICIAL  
CAPACITY

DEFENDANTS

**DECLARATION OF THOMAS ADAMS**

Pursuant to 28 U.S.C. § 1746, I, Thomas Adams, testify as follows:

1. My name is Thomas Adams. I am over twenty-one (21) years of age and have personal knowledge of the facts set forth herein.

2. I am an adult resident of Lee County, Mississippi and was formerly employed as the Chief of Police for the City of Nettleton, Mississippi. I served as the Chief of Police during the employment of former police officer Gerry Turner. Prior to the incident involving the plaintiffs, I recall receiving only two written complaints concerning the actions of Gerry Turner. Both of these complaints were investigated.

3. In the summer of 2005, I received a written complaint from Gary Baldwyn concerning an arrest by Gerry Turner of Mr. Baldwyn's son. Gerry Turner arrested Mr. Baldwyn's son for failing to have a working tag light and failure to have proof of insurance. Mr. Baldwyn believed that Gerry Turner's search of Mr. Baldwyn's son and the truck he was driving was illegal. I reviewed the matter and advised Mr. Baldwyn that the actions of Gerry Turner were legal as state law permitted the arrest and the search incident to the arrest. Mr. Baldwyn did not pursue the complaint any further.

EXHIBIT

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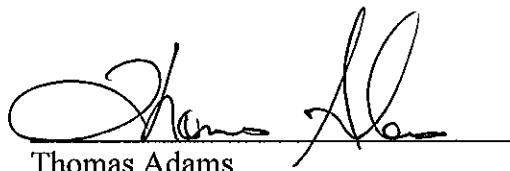
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4. In August 2005, I received a written complaint from Antionetta Word. I conducted an investigation into Ms. Word's complaint at the request of the City of Nettleton's mayor. Ms. Word complained about being arrested by Gerry Turner and another police officer on July 6, 2005. I reviewed Ms. Word's complaint and the written statement of Gerry Turner. I determined from my investigation that the actions of Gerry Turner were appropriate in dealing with Ms. Word, who had created an unnecessary disturbance at the police department. Despite multiple requests by Gerry Turner, Ms. Word refused to leave the premises and her actions resulted in a charge for disorderly conduct. It was my belief that there was probable cause for the arrest and Ms. Word's complaints of improper use of force were unfounded. I discussed my findings with Ms. Word and she did not pursue the complaint any further.

5. I know of no other formal complaints filed against Gerry Turner during his employment with the City of Nettleton. As for Gerry Turner's performance as a police officer prior to January 22, 2006, I am not aware of any actions by Gerry Turner which violated the law or the constitutional rights of citizens.

I declare under penalty of perjury that the foregoing statement is true and correct, this the

4<sup>th</sup> day of September, 2008.



Thomas Adams